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**Date:** April 10, 2006

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**To:** Office of PCT Legal Administration

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**ATTORNEY DOCKET:** CH8351/LeA 36,481

**SERIAL NUMBER:** 10/534,849

**FILED:** 5/13/2005

Please find a Transmittal Letter regarding Inventorship.

If you have any questions please call.

/lmr

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RECEIVED  
25 APR 2006  
International Division  
Legal Staff

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PATENT APPLICATION  
CH8351  
LeA 36,481

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN APPLICATION OF )  
HORST BERNETH ET AL ) GROUP NO  
SERIAL NO.: 10/534,849 )  
INTERNATIONAL FILING DATE: ) EXAMINER: DANIEL STEMMER  
04 November 2003 )  
TITLE: OPTICAL DATA STORE )  
COMPRISING A CO )  
PHTHALOCYANINE HAVING AN )  
AXIAL SUBSTITUENT... )  
INFORMATION LAYER )

## TRANSMITTAL LETTER REGARDING INVENTORSHIP

Mail Stop PCT  
Commissioner for Patents  
ATTN: Office of Patent Cooperation Treaty Legal Administration  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Examiner Stemmer:

This is in response to the Notification letter dated 10 February 2006 regarding the discrepancy of the first-named inventor. The Declaration of inventors filed 12 October 2005 in the above-identified application lists first-named inventor as Horst Berneth; the published international application incorrectly lists the first-named inventor as Horst Bruder.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

UJ Denesvich: Reg. No. 52,810  
Name of applicant, assignee or Registered Representative  
Signature  
April 10, 2006  
Date

CH8351/LeA 36481

The published international application contains an error in the first-named inventor's name. The first-named inventor is Horst Berneth, who is joint inventor of the subject matter of the present application, and which is evidenced by the enclosed copy of the PCT-Easy transmittal for the international application and the Declaration filed 12 October 2005.

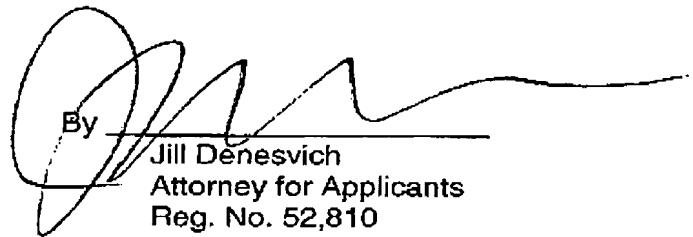
The circumstances surrounding the difference in names on the international application and the declaration appear to be an inadvertent error made during the publication of the application by the International Bureau of WIPO. When Applicant became aware of the discrepancy, counsel sent a letter to the International Bureau of WIPO with a request to correct the error of the first-named inventor in the publication, with a copy of the publication annotated. A copy of the letter is enclosed. The International Bureau of WIPO sent a Communication (PCT/IB/345) on 22 March 2006 stating the re-publication of the pamphlet front page, correcting the first-named inventor error, is scheduled for 27 April 2006. A copy of this Communication is attached for the Examiner's convenience.

The Notification indicates that "[b]ecause this difference in names is more than a mere typographical error or a phonetic misspelling of applicant's legal name, a proper petition under 37 CFR 1.182 is required in order to resolve the matter." Accordingly, the declaration filed 12 October 2005 is consistent with the *corrected* international application. However, in the event that a Petition Fee is required, the Commissioner of Patents is hereby authorized to charge the \$400.00 fee to Deposit Account No. 50-2527.

CH8351/LeA 36481

Should the Examiner have any questions regarding this application, the Examiner is invited to initiate a telephone conference with the undersigned.

Respectfully submitted,

  
By Jill Denesvich  
Attorney for Applicants  
Reg. No. 52,810

April 10, 2006

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